

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2019 FEB 27 AM 9:32

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

CLERK
SD. DIST. OF GA.

JOSE L. NIEVES,

Plaintiff,

v.

WARDEN O'NEAL and
MS. MOODY, Correctional Officer,

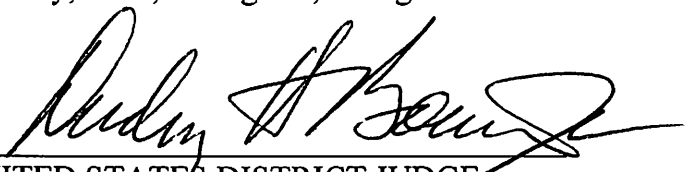
Defendants.

CV 319-002

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion and **DISMISSES** from this case Defendant O'Neal because Plaintiff fails to state a claim against him upon which relief can be granted. The case shall proceed against Defendant Moody based on Plaintiff's deliberate indifference allegations against her.

SO ORDERED this 26th day of February, 2019, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE